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f-NSC

1 October 1975

NOTE FOR: All NIOs

Attached is a 30 September letter from the DCI to the Chairman of the House Select Committee, Mr. Pike, by which the DCI sent to the Committee the documents it had subpoenaed on 12 September, with certain deletions. This letter outlines the ground rules currently applicable and, hence, should be carefully read by all of us. Our situation with respect to the Committee is not entirely clear, though it should be clarified during the course of the day. Until further clarification is received, however, please defer direct response to any requests from the Committee for material or even for oral responses to staff questions.

George A. Carver, Jr.
Deputy for National Intelligence Officers

Attachment

SC 04051-75

CENTRAL INTELLIGENCE AGENCY
WASHINGTON, D.C. 20505

30 September 1975

The Honorable Otis G. Pike, Chairman
Select Committee on Intelligence
House of Representatives
Washington, D. C. 20515

Dear Mr. Chairman:

With the approval of the President, I am forwarding herewith the classified material, additional to the unclassified material forwarded with my letter of 29 September 1975, which is responsive to your subpoena of September 12, 1975. This is forwarded on loan with the understanding that there will be no public disclosure of this classified material (nor of testimony, depositions or interviews concerning it) without a reasonable opportunity for us to consult with respect to it. In the event of disagreement, the matter will be referred to the President. If the President then certifies in writing that the disclosure of the material would be detrimental to the national security of the United States, the matter will not be disclosed by the Committee, except that the Committee would reserve its right to submit the matter to judicial determination.

In some 12 instances in the enclosed classified material, excisions have been made of particularly sensitive matters. In 10 of these instances, they would pinpoint the identity of individuals who would be subject to exposure. In two cases, this would violate an understanding with a foreign government that its cooperation will not be disclosed. In each such case, Mr. Chairman, I am prepared to discuss with you, and the Committee if necessary, the specific basis for this exclusion due to the exceptionally high risk involved, and I am sure that we can come to a mutual understanding with respect to its continued secrecy or a form in which its substance could be made available to the Committee and still give it the high degree of protection it deserves. In case of disagreement, the



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matter will be submitted to the President under the procedure outlined above, and the Committee would of course reserve its right to undertake judicial action.

Sincerely,

/s/ W. E. Colby

W. E. Colby
Director

Enclosures

WEC:blp (30 Sep 75)

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STAFF